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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Tagg *et al.*
Serial No. : 09/913,763
Filed : August 17, 2001
For : LANTIBIOTIC
Art Unit : 1651
Examiner : Michael V. Meller

745 Fifth Avenue, New York, NY 10151

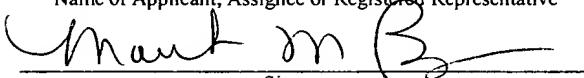
EXPEDITED PROCEDURE
RESPONSE AFTER FINAL ACTION
UNDER 37 C.F.R. 1.116

First Class Mail

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: **Mail Stop AF Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450**, on December 3, 2003.

Marilyn Matthes Brogan, Reg. No. 31,223

Name of Applicant, Assignee or Registered Representative



Signature

December 3, 2003

Date of Signature

PETITION FOR EXTENSION OF TIME

Commissioner for Patents
Mail Stop AF
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.136(a) and §1.17(a), a three-month extension of the period for reply to the final Office Action dated June 3, 2003 is requested. The \$55.00 fee for a one month extension of time was paid with the Amendment filed on October 3, 2003; therefore, a check in the amount of \$420.00, amounting to the difference between the fee for a one-month extension and a three-month extension of time, is enclosed. Please note that Applicant is a small entity. The Commissioner is authorized to charge any additionally required fee for this extension of time, or credit any overpayment in such fees, to Deposit Account No. 50-0320.

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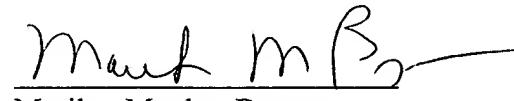
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This paper is being filed in conjunction with a Notice of Appeal.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By:



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